

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<hr/>	X	
PLUMBERS & STEAMFITTERS LOCAL	:	Civil Action No. 1:19-cv-00235-VEC
773 PENSION FUND, BOSTON	:	
RETIREMENT SYSTEM, TEAMSTERS	:	<u>CLASS ACTION</u>
LOCAL 237 ADDITIONAL SECURITY	:	
BENEFIT FUND AND TEAMSTERS	:	
LOCAL 237 SUPPLEMENTAL FUND FOR	:	
HOUSING AUTHORITY EMPLOYEES,	:	
Individually and on Behalf of All Others	:	
Similarly Situated,	:	
	:	
Plaintiffs,	:	
	:	
vs.	:	
	:	
DANSKE BANK A/S, THOMAS F.	:	
BORGEN, HENRIK RAMLAU-HANSEN,	:	
JACOB AARUP-ANDERSEN and OLE	:	
ANDERSEN,	:	
	:	
Defendants.	:	
<hr/>	X	

STIPULATION AND [PROPOSED] ORDER
REGARDING THE DEATH OF OLE ANDERSEN

WHEREAS, Mr. Ole Andersen (“Andersen”) is a Defendant in this action and passed away on June 2, 2020;

WHEREAS, on June 30, 2020, counsel for Mr. Andersen, in this action, filed a letter with the Court noting the date on which Mr. Andersen passed away (the “Notice”), ECF No. 86;

WHEREAS, on August 11, 2020, counsel for Mr. Andersen and Plaintiffs filed a proposed stipulation (ECF No. 87) recognizing that the Notice was insufficient because it did not specify who should be substituted for Mr. Andersen and agreeing that counsel for Mr. Andersen would notify plaintiff of an appropriate substitute;

WHEREAS, on August 24, 2020, the Court granted Defendants motion to dismiss (ECF No. 90, the “Order”);

WHEREAS, Plaintiffs filed a notice of appeal on September 23, 2020 (ECF No. 92), which appeal is pending before the Second Circuit Court of Appeals (the “Appeal”);

WHEREAS, counsel for Mr. Andersen has notified Plaintiffs that Mr. Andersen’s widow, Helle Andersen, in her capacity as representative of Mr. Andersen’s estate, should be substituted in for Mr. Andersen;

WHEREAS, undersigned counsel for Mr. Andersen has been retained by Ms. Andersen, in her capacity as representative of the estate of Ole Andersen, to represent her in this action.

IT IS HEREBY STIPULATED AND AGREED, as follows:

1. In accordance with F.R.C.P. 25(a), Ms. Andersen, solely in her capacity as representative of Mr. Andersen’s estate, shall hereby be substituted into this action for Mr. Andersen.
2. The undersigned counsel agree to accept service of any document in this action by ECF.
3. As substitute for Mr. Andersen, the claims against Ms. Andersen are subject to the Court’s prior Order granting the motion to dismiss and are subject to the pending Appeal.

Dated: March 18, 2021

By: /s/ Bruce E. Yannett

DEBEVOISE & PLIMPTON, LLP

Bruce E. Yannett

Helen V. Cantwell

919 Third Avenue, 3rd Floor

New York, NY 10022

212-909-6000

beyannett@debevoise.com

hcantwell@debevoise.com

Jonathan R. Tuttle

Ada Fernandez Johnson

801 Pennsylvania Ave, NW #500

Washington, DC 20004

(202) 383-8118

jrtuttle@debevoise.com

afjohnson@debevoise.com

Attorneys for Ole Andersen

By: /s/ David Rosenfeld¹

ROBBINS GELLER RUDMAN & DOWD

Samuel H. Rudman

David A. Rosenfeld

William J. Geddish

58 South Service Road, Suite 200

Melville, NY 11747

Telephone: 631/367-7100

631/367-1173 (fax)

srudman@rgrdlaw.com

drosenfeld@rgrdlaw.com

wgeddish@rgrdlaw.com

Co-Lead Counsel for Lead Plaintiffs and the Class

By: /s/ Carol C. Villegas

LABATON SUCHAROW LLP

Carol C. Villegas

Alec T. Coquin

140 Broadway

New York, NY 10005

Telephone: 212/907-0700

212/818-0477 (fax)

cvillegas@labaton.com

acoquin@labaton.com

Co-Lead Counsel for Lead Plaintiffs and the Class

¹ All Counsel have represented their consent to this Stipulation in communications with Counsel whose ECF credentials are used to file it.

* * *

ORDER

IT IS SO ORDERED.

DATED: _____

THE HONORABLE VALERIE E. CAPRONI
UNITED STATES DISTRICT JUDGE